

May 18, 2021

Jonathan A. Evans
Subcommittee Chair Docket 2021-02
New Hampshire Site Evaluation Subcommittee
21 South Fruit Street, Suite 10
Concord, NH 03301

**RE: DOCKET NO. 2021-02 INVESTIGATION OF COMPLAINTS
REGARDING ANTRIM WIND ENERGY FACILITY – TURBINE LIGHTING**

Dear Subcommittee Chair Evans:

Thank you for the opportunity to provide comment regarding possible permit violations at the Antrim Wind Energy facility involving the radar-activated lighting system (ADLS).

TransAlta has submitted a number of memos to the Site Evaluation Committee (SEC) addressing the operating status of the ADLS. In all cases, TransAlta was quick to emphasize that the system is operating in accordance with the FAA regulations for turbine lighting. This may be true, but I am concerned that the ADLS is not operating in compliance with the SEC's intent when the Committee imposed the requirement that the ADLS be installed at the facility.

For example, in his March 4, 2020 memo to the SEC administrator, TransAlta engineer Ethan Mollasalehi states "If one of the radars cannot confirm a clear sky during dark hours, the aerial obstruction lights will be turned on by the ADLS. Typical causes are anecdotic icing event¹, temporary loss of permanent echo², radar fault (e.g. motor tripping), etc. Causes such as these may lead to the aerial obstruction lights being on for 24-72 hours. This is standard operation of the ADLS and complies with Federal Aviation Administration (FAA) requirements." (See: https://www.nhsec.nh.gov/projects/2015-02/post-certificate-filings/2015-02_2020-03-04_update_aircraft_detection_lighting.pdf)

There is nothing in the Docket 2015-02 record where Antrim Wind Energy, LLC (AWE) states the lights could be on for up to 72 hours. Quite the opposite, AWE testified in its November 30, 2016 post-hearing memo (page 30) that nighttime lighting would be "virtually eliminated" by using the ADLS system."

AWE's visual expert, Mr. Raphael, admitted under oath that AWE disregarded NH Rule 301.05(b)(9) "because the project developers have committed right from the outset to use the radar activated lighting which means that, for the most part, there will be no lighting at night of the facility." (See attached transcript) NH Rule 301.05(b)(9) states that "[i]f the proposed facility is required by Federal Aviation Administration regulations to install aircraft warning lighting or if the proposed facility would include other nighttime lighting, [the visual impact assessment shall contain] a description and characterization of the potential visual impacts of this lighting, including the number of lights visible and their distance from key observation points."

The visual assessment did not include any nighttime visual analysis. The SEC relied on these sworn statements by AWE and its representatives when it permitted the facility.

Regardless of TransAlta's intent to emphasize the FAA regulations for air safety, the record shows that the *lights-off* condition was the priority for the SEC when it required the ADLS system be installed. The SEC also expected the ADLS system to operate as AWE swore it would and "virtually eliminate" nighttime lighting. The record cannot be ignored. Extended periods where the lights are flashing should be deemed a violation of the permit.

Respectfully,

Nancy Watson